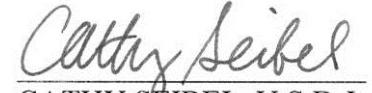




The Clerk of Court shall maintain the documents on the attached addendum (ECF No. 106-1) under seal. Plaintiffs shall file redacted versions as soon as practicable.

October 4, 2023

SO ORDERED.



CATHY SEIBEL, U.S.D.J.

VIA ECF

The Honorable Cathy Seibel
United States District Judge
300 Quarropas St.
White Plains, NY 10601-4150

Re: Westchester County, NY v. Mylan Pharmaceuticals, et al.
Case No.: 7:23-cv-06096

10/4/23

This Relates to:

Cattaraugus County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06103;
Cayuga County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06106;
Chautauqua County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06108;
Chemung County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06109;
Chenango County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06120;
City Of Ithaca, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06115;
City Of Kingston, NY vs. Novartis, et al., Case No.: 7:23-cv-06126;
City Of Mount Vernon, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06136;
Clinton County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06113;
Cortland County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06121;
Esex County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06097;
Franklin County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06125;
Genesee County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06128;
Hamilton County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06129;
Livingston County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06132;
Niagara County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06104;
Orleans County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06110;
Ostego County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06112;
Putnam County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06116;
Rensselaer County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06117;
Saratoga County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06119;
Schoharie County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06123;
Schuyler County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06127;
Steuben County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06107;
Tioga County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06098;
Tompkins County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06114;
Town Of Lancaster, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06130;
Town Of Amherst, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06118;
Town Of Cheektowaga, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06124;
Warren County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06133;
Yates County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06134;
Town Of Tonawanda, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06131;
Westchester County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06096;
Madison County, NY vs. Mylan Pharmaceuticals, Inc. et al., Case No.: 7:23-cv-06135;



Dear Judge Seibel,

We represent the Plaintiffs above and write pursuant to Rule 21.7 of this Court's Electronic Case Filing Rules & Instructions and Rule 11B of Your Honor's Individual Practice Rules to request that Plaintiffs' Supplemental Amended Complaints filed on September 29, 2023¹ be filed under seal.

Late yesterday evening, counsel for Defendants Express Scripts and Optum Rx notified us and contend that our filings on September 29, 2023 contained confidential information that may be subject to a protective order. While we review these Supplemental Amended Complaints for this alleged information, we immediately notified the New York ECF filing clerk to temporarily block the images on the court docket on PACER so as to make this application to Your Honor. Earlier today, the clerk granted our request and temporarily blocked the documents.

Plaintiffs respectfully request that the Court enter an Order permanently sealing the docket entries in the attached addendum of cases so that they can be reviewed and potentially accommodate the Defendants' contentions. After review, Plaintiffs expect to refile redacted versions of the Supplemental Amended Complaints should that be necessary.

* * * * *

We appreciate the Court's attention to this matter.

Sincerely,

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¹ A complete list of the Plaintiff's cases and docket numbers to be filed under seal are attached hereto in the addendum.



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Counsel to Plaintiffs

cc: All Parties vis CM/ECF



CERTIFICATE OF SERVICE

The undersigned attorney certifies that on October 4, 2023, he electronically filed a copy of the attached via the CM/ECF filing system, which sent notification of such filing to all Filing Users.

/s/ Salvatore C. Badala

Addendum

Plaintiff and Case Name	Case Number	Docket Number to seal	Pleading to be sealed	Date Filed
WESTCHESTER COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06096	105	Supplemental Amended Complaint	9/29/2023
CATTARAUGUS COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06103	32	Supplemental Amended Complaint	9/29/2023
CAYUGA COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06106	32	Supplemental Amended Complaint	9/29/2023
CHAUTAUQUA COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06108	32	Supplemental Amended Complaint	9/29/2023
CHEMUNG COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06109	32	Supplemental Amended Complaint	9/29/2023
CHENANGO COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06120	30	Supplemental Amended Complaint	9/29/2023
CITY OF ITHACA, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06115	31	Supplemental Amended Complaint	9/29/2023
CITY OF KINGSTON, NY vs. Novartis, et al.	7:23-cv-06126	32	Supplemental Amended Complaint	9/29/2023
CITY OF MOUNT VERNON, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06136	31	Supplemental Amended Complaint	9/29/2023
CLINTON COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06113	31	Supplemental Amended Complaint	9/29/2023
CORTLAND COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06121	31	Supplemental Amended Complaint	9/29/2023
ESSEX COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06097	34	Supplemental Amended Complaint	9/29/2023
FRANKLIN COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06125	31	Supplemental Amended Complaint	9/29/2023

Addendum

Plaintiff and Case Name	Case Number	Docket Number to seal	Pleading to be sealed	Date Filed
HAMILTON COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06129	32	Supplemental Amended Complaint	9/29/2023
LIVINGSTON COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06132	31	Supplemental Amended Complaint	9/29/2023
NIAGARA COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06104	31	Supplemental Amended Complaint	9/29/2023
ORLEANS COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06110	31	Supplemental Amended Complaint	9/29/2023
OSTEGO COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06112	31	Supplemental Amended Complaint	9/29/2023
PUTNAM COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06116	31	Supplemental Amended Complaint	9/29/2023
RENSSELAER COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06117	31	Supplemental Amended Complaint	9/29/2023
SARATOGA COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06119	31	Supplemental Amended Complaint	9/29/2023
SCHOHARIE COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06123	31	Supplemental Amended Complaint	9/29/2023
SCHUYLER COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06127	31	Supplemental Amended Complaint	9/29/2023
STEUBEN COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06107	32	Supplemental Amended Complaint	9/29/2023
TIOGA COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06098	32	Supplemental Amended Complaint	9/29/2023
TOMPKINS COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06114	32	Supplemental Amended Complaint	9/29/2023

Addendum

Plaintiff and Case Name	Case Number	Docket Number to seal	Pleading to be sealed	Date Filed
TOWN OF AMHERST, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06118	32	Supplemental Amended Complaint	9/29/2023
TOWN OF CHEEKTOWAGA, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06124	32	Supplemental Amended Complaint	9/29/2023
WARREN COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06133	32	Supplemental Amended Complaint	9/29/2023
YATES COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06134	32	Supplemental Amended Complaint	9/29/2023
TOWN OF TONAWANDA, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06131	32	Supplemental Amended Complaint	9/29/2023
MADISON COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06135	31	Supplemental Amended Complaint	9/29/2023
GENESEE COUNTY, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06128	32	Supplemental Amended Complaint	9/29/2023
TOWN OF LANCASTER, NY vs. Mylan Pharmaceuticals, Inc. et al.	7:23-cv-06130	32	Supplemental Amended Complaint	9/29/2023